

## **SEXUAL HARASSMENT**

### **POLICY**

Sexual harassment will not be tolerated in the Department of Finance workplace. Such harassment, in any form or format (including but not limited to: physical, verbal, written, electronic, or any other means), whether intentional or unintentional, is strictly prohibited. Individuals found in violation of this policy will be subject to appropriate disciplinary action.

### **DEFINITION**

Unwelcome conduct of a sexual nature (including actions targeted toward one gender), which may include, but is not limited to: sexual advances, request for sexual favors, verbal, non-verbal, or physical conduct, and/or disseminating information by any means or in any form (including but not limited to written and electronic data), constitute sexual harassment when such conduct:

1. Is made explicitly or implicitly a term or condition of employment; or
2. Is used as a basis for employment decisions; or
3. Has the purpose or effect of unreasonably interfering with work performance or creating a hostile or abusive work environment.

Sexual harassment may be open or subtle. Some behavior which is appropriate in a social setting may not be appropriate in the workplace. But whatever form it takes, verbal, non-verbal, physical, written, or electronic, sexual harassment can be insulting and demeaning to the recipient and will not be tolerated in the workplace.

Sexual harassment does not refer to behavior or occasional compliments of a professionally acceptable nature. It refers to behavior that is not welcome, is personally offensive, fails to respect the right of others, lowers morale, and, therefore, interferes with an employee's ability to substantially perform his/her job functions. The prohibited behavior need not consist of sexual advances or have clear sexual overtones, but may consist of non-sexual degrading behavior directed at one gender.

**EXAMPLES**

Verbal: Sexual suggestions, suggestive comments, jokes of a sexual nature, sexual propositions, threats; or

Nonverbal: Sexually suggestive objects, pictures, emails, faxes, electronic communications, graphic commentaries, or any insulting sounds or actions including, but not limited to, leering, whistling, obscene gestures; or

Physical: Unwanted physical contact including, but not limited to, touching, flirting, pinching, brushing the body, coerced sexual activity, or assault.

**RETALIATION**

Retaliation in any form, for making a good faith report of sexual harassment, is prohibited. If an employee believes that he/she is being retaliated against for making a complaint, he/she **must** report the retaliatory behavior immediately, using the reporting procedures set out in this policy.

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**COMPLAINT  
PROCEDURE**

**Reporting a sexual harassment complaint**

- An employee who feels that he/she has been the subject of sexual harassment while performing job duties **must** report the matter immediately to his/her supervisor. If the employee is uncomfortable reporting to his/her immediate supervisor, he/she **must** report the matter to one of the following:

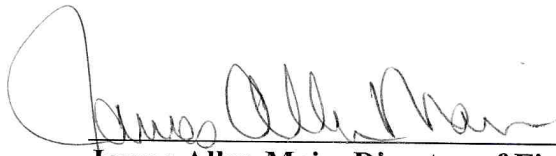
1. Finance Legal Counsel (242-7175)
2. Finance Personnel Director (242-3199)
3. Finance Director (242-7160)

That supervisor or director **must** immediately provide a written report to Finance Legal and must assist in the investigation process as directed by Finance Legal. (Immediately is defined as by end of business on the day the complaint is received.)

### Investigation of Complaints

- Finance Legal will investigate allegations of sexual harassment, unless an allegation originates in Finance Legal. If that is the case, the Finance Director will appoint an independent investigator to act in the place of Finance Legal.
- Finance Legal will report the results of the investigation to the appropriate supervisory personnel.
- Such action as may be required by the results of the investigation will be taken by the Department's management.

APPROVED:

  
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James Allen Main, Director of Finance  
Date: January 22, 2007